

FILED

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Northern District of California

FEB 24 2020 *ay*
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

United States of America)
v.)
MICHAEL ANTHONY MCCHRISTIAN,)
)
)

Case No.

4-20-70206

Defendant(s)

MAG**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of February 21, 2020, in the county of Alameda in the
Northern District of California, the defendant(s) violated:

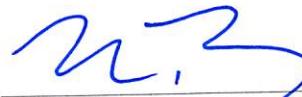
<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §922(g)(1)	Felon in Possession of a Firearm and Ammunition Maximum Penalties: 10 years' imprisonment; \$250,000 fine; 3 years' supervised release; forfeiture; mandatory \$100 special assessment.

This criminal complaint is based on these facts:

Please see attached affidavit of U.S. Postal Inspector Michael Reilly in support of the Criminal Complaint.

(approved as to form *S* AUSA Samantha Schott)

Continued on the attached sheet.



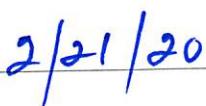
Complainant's signature

Michael Reilly, U.S. Postal Inspector

Printed name and title

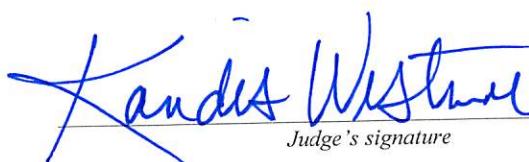
Sworn to before me and signed in my presence.

Date:



City and state:

Oakland, California



Judge's signature

Hon. Kandis A. Westmore, US Magistrate Judge

Printed name and title

1 **AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

2 I, Michael Reilly, a criminal investigator with the United States Postal Inspection Service, being
3 duly sworn, state:

4 **I. INTRODUCTION**

5 1. I am a United States Postal Inspector assigned to the San Francisco Division of the
6 United States Postal Inspection Service (“Inspection Service”), and have been so employed since May
7 2017. As such, I am an investigator and law enforcement officer of the United States within the
8 meaning of 18 U.S.C. § 2510(7). I have been assigned to the Contraband, Interdiction and
9 Investigations Team, based in Richmond, California, since January 2020. I was previously assigned to
10 the Mail Theft/External Crimes Team, which investigates postal related crimes including the theft of the
11 United States Mail, and the related crimes of unlawful possession of Postal Service keys, identity theft,
12 check, fraud, credit card fraud, and bank fraud. The Mail Theft/External Crimes Team also investigates
13 robberies of Postal Service facilities and Postal Service employees, including letter carriers. From 2007
14 to 2017, I was a Border Patrol Agent (BPA) assigned to the El Centro Sector/El Centro Station in
15 Imperial, California. As a BPA, I regularly enforced federal immigration laws. I also was detailed to
16 the El Centro Sector’s Prosecutions Office. As a BPA in the Prosecution’s office, my duties included
17 being the liaison between the stations that made up the El Centro Sector and the United States
18 Attorney’s Office in the Southern District of California. I regularly reviewed arrest reports, criminal
19 histories and Federal Court documents. I also wrote and reviewed federal criminal complaints on a daily
20 basis.

21 2. I respectfully submit this Affidavit in support of a Criminal Complaint charging Michael
22 Anthony McChristians (“MCCHRISTIAN”) with being a felon in possession of a firearm and
23 ammunition, in violation of 18 U.S.C. § 922(g)(1).

24 3. Because this affidavit is being submitted for the limited purpose of securing a criminal
25 complaint and arrest warrant of MCCHRISTIAN, I have not included every fact known to me
26 concerning this investigation. I have set forth only those facts that I believe are necessary to establish
27 probable cause to believe that, on or about February 21, 2020, MCCHRISTIAN had in his possession a
28 firearm and ammunition in violation of 18 U.S.C. § 922(g)(1).

1 4. Where statements made by other individuals are referenced in this Affidavit, such
2 statements are described in sum and substance and in relevant parts only. Similarly, where information
3 contained in reports and other documents or records are referenced in this Affidavit, such information is
4 also described in sum and substance and in relevant part only.

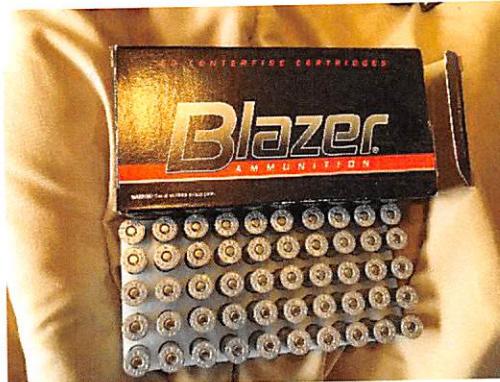
5 **II. FACTS ESTABLISHING PROBABLE CAUSE**

6 5. I have reviewed MCCHRISTIAN's criminal history report as well as conviction
7 documents from the United States District Court for the District of Nevada. I observed that
8 MCCHRISTIAN has been convicted of the following felony offense:

9 a) On or about January 9, 2003, in the District of Nevada, MCCHRISTIAN was
10 convicted of Conspiracy to Possess with Intent to Manufacture, to Manufacture,
11 Distribute and Possess with Intent to Distribute Methamphetamine, in violation of 21
12 U.S.C. §§ 846, 814(a)(1), 841(b)(1)(A)(viii), and 841(d)(1). MCCHRISTIAN was
13 sentenced to 120 months' imprisonment and five years of supervised release.

14 6. On February 21, 2020, federal law enforcement agents from the U.S. Postal Inspection
15 Service and U.S. Postal Service Office of Inspector General searched MCCHRISTIAN's home in
16 Hayward, California, in the Northern District of California, pursuant to a federal search warrant issued
17 by the Honorable Kandis A. Westmore, U.S. Magistrate Judge, on February 20, 2020.

18 7. Inside of a toiletry bag in the bedroom closet, Postal Inspector Dallas Lowry found a Colt
19 Cobra .38 Special revolver, bearing serial number 207292LW, loaded with four rounds of ammunition.
20 Inspector Lowry also found a full box of 50 rounds of CCI .38 caliber ammunition, as well as a receipt
21 for eyeglass repair in MCCHRISTIAN's name. The box bears the name "Blazer" but the ammunition
22 has CCI headstamps.



1 8. Inspector Lowry also found a credit report in the name of "D.L."¹ inside the toiletry bag.
 2 I know that "D.L." is a name MCCHRISTIAN has used in the past. I am advised by USPS Office of
 3 Inspector General Special Agent Michael Appio that on or about October 2, 2019, SA Appio went to the
 4 UPS Store located at 1179 W. A St., Hayward, CA 94541 and obtained the renter application for
 5 mailbox #308. The application was in the name "D.L.," but the home address was listed as
 6 MCCHRISTIAN's home address in Hayward. The CA driver license provided with the application was
 7 in the name "D.L.," but contains MCCHRISTIAN's picture. The second form of ID used was a Costco
 8 membership card, in the name "D.L.," but with MCCHRISTIAN's picture.

9 9. Furthermore, in a recorded call from the Napa County Department of Corrections, dated
 10 September 29, 2019, an inmate contacted a phone number believed to be used by MCCHRISTIAN. A
 11 male individual answered the phone, and the inmate referred to the male as "Mike." The inmate and
 12 "Mike" discussed the inmate's bail situation, and "Mike" told the inmate not to worry about cosigners
 13 for her bond because "I got D.L. I got a few people that can cosign. You know what I mean?" "Mike"
 14 then stated, "I got D.K.² that can cosign for you." Based on my training and experience, I believe
 15 "Mike" was indicating that he had identification cards in D.L. and D.K.'s names, and could cosign a
 16 bond using those identities.

17 10. I am informed by interstate nexus expert Special Agent Andrew Balady of the Bureau of
 18 Alcohol, Tobacco, Firearms, and Explosives that neither the Colt Cobra .38 Special revolver, bearing
 19

20 ¹ The credit report spells out D.L.'s full name, but to protect D.L.'s privacy, only initials are used
 21 in this affidavit.

22 ² "Mike" referred to D.K. by his full name, but to protect D.K.'s privacy, only initials are used in
 23 this affidavit. I know that D.K. is a former resident of Danville, CA, who passed away in January 2019.
 24 I have reviewed surveillance images and bank records from Chase Bank which show that on or about
 25 February 5, 2019, MCCHRISTIAN signed withdrawal slips as D.K. at a Chase Bank branch in the
 26 District of Utah in order to obtain more than \$60,000 in cashier's checks and cash from D.K.'s mother's
 27 bank account. I have also reviewed surveillance images and bank records from Bank of America which
 28 show that on or about February 7, 2019, MCCHRISTIAN signed withdrawal slips as D.K. at a Bank of
 America branch in the District of Utah in order to obtain at least \$36,000 in cashier's checks and cash
 from D.K.'s bank account. I have also reviewed surveillance images and bank records from Bank of
 America which show that between February 11, 2019, and February 14, 2019, MCCHRISTIAN
 withdrew at least \$2,500 from D.K.'s bank accounts at Bank of America ATMs in Hayward, CA, and
 San Leandro, CA. On February 21, 2020, during the search of MCCHRISTIAN's home, law
 enforcement agents recovered a California driver license in D.K.'s name but bearing MCCHRISTIAN's
 photograph and the address of the UPS mailbox rented under D.L.'s name.

1 serial number 207292LW, nor the 50 rounds of CCI .38 caliber ammunition, were manufactured in the
2 state of California.

3 11. Based on the above, I believe both the firearm and ammunition were shipped or
4 transported from one state to another or between a foreign nation and the United States in order to arrive
5 in California.

III. CONCLUSION

7 12. Based on the information set forth in the paragraphs above, I submit that there is probable
8 cause to believe that on or about February 21, 2020, in the Northern District of California, Michael
9 Anthony MCCHRISTIAN did knowingly possess a loaded Colt Cobra .38 Special revolver and 50
10 rounds of CCI ammunition, knowing he had previously been convicted of a crime punishable by a term
11 exceeding one year in prison, in violation of 18 U.S.C. § 922(g)(1). Accordingly, based upon the
12 foregoing, I respectfully request that the Court sign the requested criminal complaint and issue the
13 requested arrest warrant.

14 13. I declare under penalty of perjury that the statements above are true and correct to the
15 best of my knowledge and belief.

Michael Reilly
United States Postal Inspector
United States Postal Inspection Service

20 Subscribed to and sworn before me this 21st day of February, 2020.

HONORABLE KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE